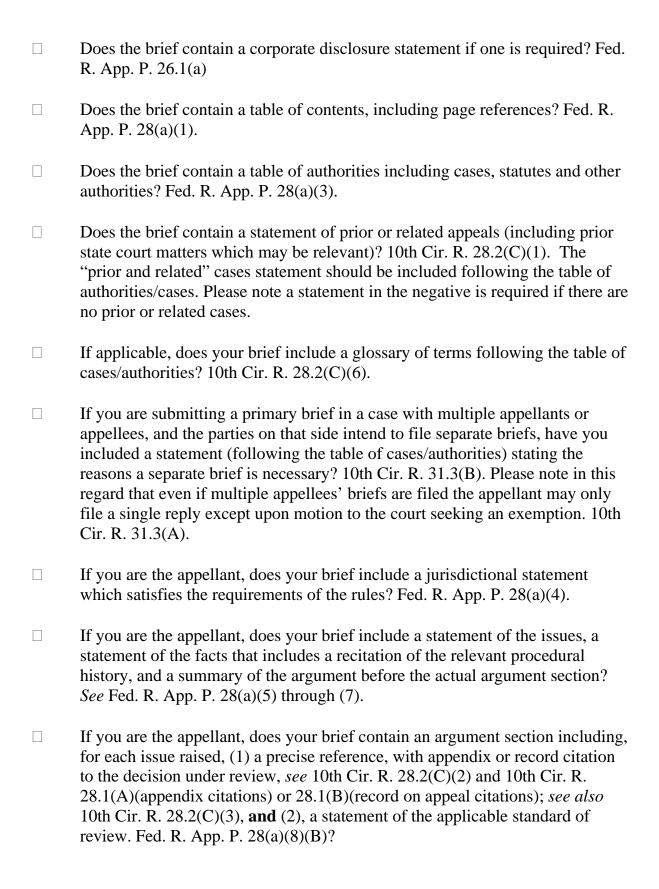
10th Circuit Ct. of Appeals Briefing and Appendix Checklists for Counseled Cases

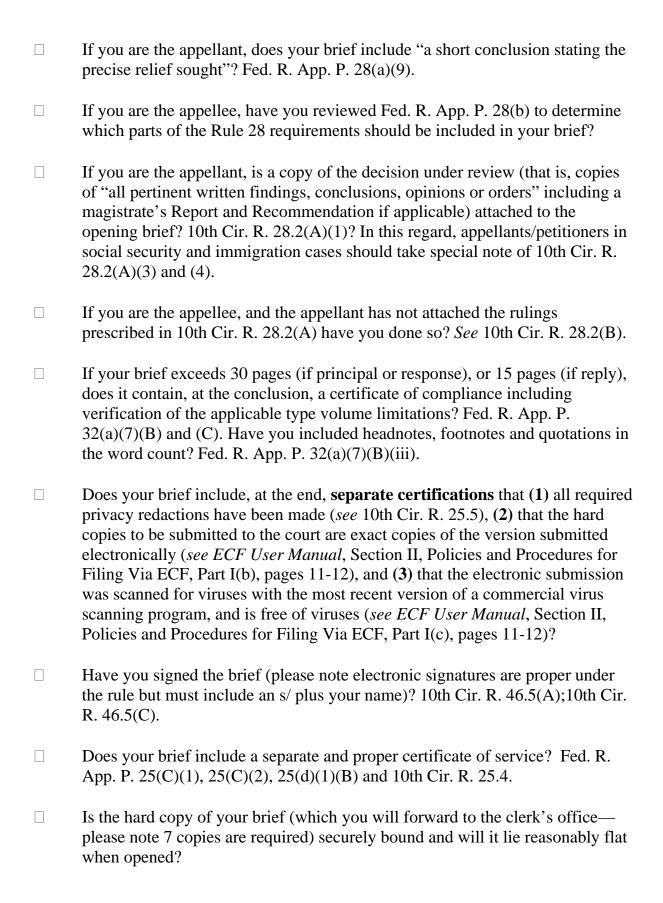
Updated to Comply with 2016 Rules 1/1/2016

Briefing Checklist

The checklist below includes all the requirements (in both the Federal Rules of Appellate Procedure and 10th Circuit local rules) for filing a *primary* brief (please note memorandum briefs, such as those filed on jurisdictional issues, do not need to comply with all of these requirements). The checklist begins as a brief would begin—at the cover page—then moves through the requirements from there. If you have questions please don't hesitate to contact the clerk's office at 303-844-3157.

Is the cover page the correct color (for the required hard copies)?: a. The appellant's and the first cross-appeal's brief is blue; b. The appellee's and second cross-appeal's brief is red; c. The third brief on cross-appeal is yellow; d. The appellant's reply and the fourth brief on cross-appeal's is grey; e. Amicus and intervenor covers are green.
Is the brief in either 13 or 14-point font (14 point font is preferred)? 10th Cir. R. 32(a).
Is your brief double-spaced except for quotations and footnotes? Fed. R. App. P. 32(a)(4).
Does the cover page of your brief contain the name of the district of origin and the name of the judge (or agency) who entered the underlying judgment (in addition, have you included the district court case number as well)? <i>See</i> 10th Cir. R. 28.2(C)(5).
Does the cover page of your brief include a statement as to whether or not oral argument is requested? <i>See</i> 10th Cir. R. 28.2(C)(4). If argument is requested, the brief must contain a statement of reasons why argument is necessary (generally that statement must follow the brief's conclusion).
Is your brief single-sided? Fed. R. App. P. 32(a)(1)(A).





Have you made arrangements to have seven (7) hard copies of the brief forwarded to the clerk's office within two business days? 10th Cir. R. 31.5. Please note in this regard that the hard copies should be *received* in the clerk's office in two business days. See ECF User Manual, Section III, Part 5, pages 17-18. Effective January 1, 2015, appendices must be submitted electronically. See 10th Cir. R. 30.1(A) through (E). In addition, one *hard copy* of any appendix filed must also be submitted to the court and received in the clerk's office within 2 business days of the filing of the electronic version (see the court's appendix checklist for additional information on filing appendices). See 10th Cir. R. 30.1(A)(2). **Advisory Note**: Briefs may (but are not required to) contain hyperlinks to documents already on the docket or to attachments to the brief being filed. Consequently, if you plan on hyperlinking to an appendix, you must first file the appendix using the court's ECF system. Once the appendix is filed, you may then create hyperlinks in your brief to the docketed appendix volumes. See User's Manual, Section IV, Part H, page 58 for instructions on creating hyperlinks. **Advisory Note:** If you have insufficient time to create hyperlinks to the appendix at the time of the original electronic filing, but wish to do so later you may, by motion, request leave to file a substitute hyperlinked brief. Any motion in this regard must be filed via ECF within 7 days of the original electronic filing of the brief. Submission of a substitute hyperlinked brief does

not toll or otherwise impact any other filing deadlines.

Appendix Checklist*

The checklist below is applicable in all cases in which retained counsel appears for the appellant. Please note it is the responsibility of the appellant to submit the appendix but the appellee may file a supplemental appendix in accordance with 10th Cir. R. 30.2(A)(1).

Please note that effective January 1, 2015, all appendices accompanying briefs must be filed electronically. In addition, a single paper copy of the appendix (an exact replica of the electronic version) must be received in the clerk's office within two business days of the electronic submission. Appendices must be in searchable (i.e. native) PDF format, and must be bookmarked. The first volume of each appendix must include a certificate of service and additional certifications. 10th Cir. R. 30.1(A) through (F). In addition, see *ECF User Manual*, Section III, Part 7, Page 19 for additional information.

Generally, does your appendix comply with 10th Cir. R. 30.1(D)(1) through (6) as to form, and have you reviewed and considered 10th Cir. R. 30.1(B) with respect to content? Counsel filing appendices in social security cases should pay particular attention to 10th Cir. R. 30.1(B)(2).
Does your appendix include, at the beginning, an index (which acts as a table of contents, see Fed. R. App. P. 30(d)) of all the documents, including in that index page numbers showing where in the appendix the particular documents appear? 10th Cir. R. 30.1(D)(1).
Is your appendix paginated consecutively? 10th Cir. R. 30.1(D)(1).
Are the documents in your appendix arranged in chronological order according to the filing date, and have you included a copy of the district court's docket entries as the first document in your appendix? 10th Cir. R. 30.1(D)(3) and (4).
Is your appendix single-sided? <i>See</i> Fed. R. App. P. 32(a)(1)(A)(as made applicable to appendices via Fed. R. App. P. 32(b)).
Is your hard copy appendix securely bound and will each volume lie reasonably flat when opened? Are your volumes less than 300 pages? If necessary, have you divided your hard copy appendix into separate volumes to

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^{*} If you are counsel representing an appellant under the Criminal Justice Act, no appendix is required. Instead, you are required to file a designation of record within 14 days. *See* 10th Cir. R. 10.2(A) and 10.2(A)(1). In these cases, the record on appeal will be forwarded to this court electronically, and it will appear on the CM docket.

